

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

**CDC-116**  
**1-86**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

As inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled \_\_\_\_\_.

PRELUBRICATED INNERDUCT

the specification of which (CHECK applicable box(es)).

☐ is attached hereto.

☐ was filed on ..... as U.S. Application Serial No. ....

☐ was filed as PCT international Application No. PCT/...../..... on .....

and (if applicable to U.S. or PCT application) was amended on .....

I hereby state that I have reviewed and understand the contents of the amendment referred to above, to the best of my ability. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a) and 35 U.S.C. 102 both as set forth on the reverse side hereof. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) below any foreign application for patent or inventor's certificate having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)

<u>Number</u>	<u>Country</u>
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Day/MONTH/Year Filed

PRIORITY CLAIMED

**Yes** **No**

I hereby claim the benefit under 35 U.S.C. 120/365 of all United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

PRIOR U.S. OR PCT APPLICATION(S)

Application Serial No.

Day/MONTH/Year Filed

**Status:** patented,  
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

And I hereby appoint Cushman, Darby & Cushman, Eleventh Floor, 1615 L Street, N.W., Washington, D.C. 20036, telephone number 861-3000 (to whom all communications are to be directed), as the best person named on the Patent and Trademark Office connected therewith and with the attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent.

Paul N. Kokulis	30	16773
Allen Kirkpatrick		16749
George T. Mobille		17353
James L. Dooley		17710
Alvin Gutttag		17511
Raymond F. Lippitt		17519
G. Lloyd Knight		17698
Carl G. Love	32	18781

Lawrence A. Hymo	19057
Akin T. Davis	19973
Edgar H. Martin	20534
William K. West, Jr.	22057
Kevin E. Joyce	20508
Edward M. Prince	22429
Donald B. Deaver	23048
David W. Brinkman	20817

George M. Sirilla	18221
William T. Bullinger	25503
Donald J. Bird	25323
James R. Longacre	24421
W. Warren Taltavull	25647
Michael L. Keller	26751
Charles R. Donohoe	24546
Sherman O. Parrett	25905

Watson T. Scott	<u>26581</u>
Peter W. Gowdey	<u>25872</u>
Dale S. Lazar	<u>28872</u>
Glenn J. Perry	<u>28458</u>
Kendrew H. Colton	<u>30368</u>

1) INVENTOR'S SIGNATURE W. J. Shaffer Date: 2/27/87

Inventor's Name (typed) John Shoffner USA

First	Middle Initial	Family Name	Citizenship
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Residence (City) Middlesboro (State/Foreign Country) Kentucky *AK*

Post Office Address (Include Zip Code) 1313 Gloucester, Middlesboro, Kentucky 40965

2) INVENTOR'S SIGNATURE ..... Date .....

Inventor's Name (typed) .....

First	Middle Initial	Family Name	Citizenship
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Residence (City) ..... (State/Foreign Country) .....

3) INVENTOR'S SIGNATURE ..... Date

Inventor's Name (typed) .....

[illegible]

Residence (City) ..... (State/Foreign Country) .....

Post Office Address (Include Zip Code) \_\_\_\_\_

4) INVENTOR'S SIGNATURE ..... Date .....

Inventor's Name (typed) .....

First	Middle Initial	Family Name	Citizenship
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Residence (City) ..... (State/Foreign Country) .....

Post Office Address (Include Zip Code).....

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.

37 C.F.R. 1.56(a) (Rule 56(a))

PATENT AND TRADEMARK CASES — RULES OF PRACTICE  
DUTY OF DISCLOSURE

- (a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material when there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

PATENT LAWS 35 U.S.C.

§102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless —

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States, or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other (Amended July 28, 1972, Public Law 92-358, sec. 2, 86 Stat. 501; November 14, 1975, Public Law 94-131, sec. 5, 89 Stat. 691.)

\* Six month for Design Applications (35 U.S.C. 172)



Applicant: Patentee: John Shoffner Attorney's  
Serial: Patent No.: Docket No.:  
Filed: For 1987 PRELUBRICATED INNERDUCT

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN DURA-LINE CORPORATION  
ADDRESS OF CONCERN South 23rd Street, Middlesboro, Kentucky 40965  
Middlesboro, KY 40965

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled PRELUBRICATED INNERDUCT by inventor(s) John Shoffner described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING John Shoffner  
TITLE OF PERSON OTHER THAN OWNER Executive Vice President  
ADDRESS OF PERSON SIGNING 1313 Gloucester, Middlesboro, KY 40965

SIGNATURE [Signature] DATE 2/27/87